



GAU 1645
BOLSON
Sep 14
#9/A
10/19/01
ATTORNEY DOCKET NO. 14114.034111

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 18 2001

In re Application of)

Ades et al.)

Serial No. 09/613,092)

Filed: July 10, 2000)

For: "MULTIPLE ANTIGENIC PEPTIDES)
IMMUNOGENIC AGAINST)
STREPTOCOCCUS PNEUMONIA")

Group Art Unit: 1645 TECH CENTER 1600/2900

Examiner: Devi, S.

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

October 12, 2001

Sir:

This is in response to the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures issued September 25,
2001 for the above-identified patent application. A copy of the Notice is enclosed herewith.

As required by the Notice, enclosed herewith is a substitute computer readable form (CRF)
copy of the Sequence Listing for this patent application and a substitute paper copy of the
Sequence Listing in compliance with 37 C.F.R. §§ 1.821-1.825. Applicants hereby certify that

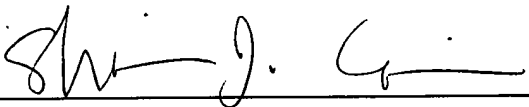
the information in both the computer readable form and the paper copy of the Sequence Listing is the same and includes no new matter.

Please delete the Sequence Listing filed July 10, 2000, consisting of pages 68-72, from the present application and substitute therefor the enclosed Sequence Listing, consisting of pages 1-6. Please re-number the remaining pages of the application accordingly.

No fee is believed due. However, the Commissioner is hereby authorized to charge any fee that may be required, or to credit any overpayment, to Deposit Account No. 14-0629.

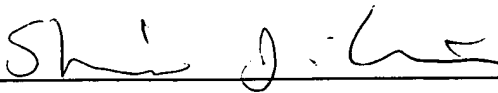
Respectfully submitted,

NEEDLE & ROSENBERG, P.C.


Shari J. Corin, Ph.D.
Registration No. 46,243

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below.


Shari J. Corin

October 12, 2001
Date



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/613,092

07/10/00

ADES

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60430

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HM12/0925

EXAMINER

DEVILS

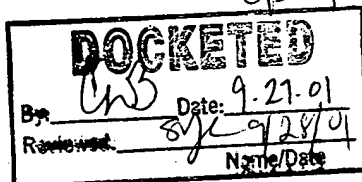
ART UNIT

PAPER NUMBER

1645

DATE MAILED:

09/26/01

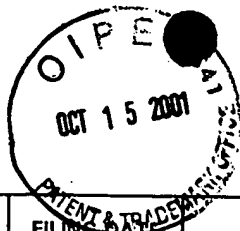


Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/613,092	07/10/00	Ades et al.	68430

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OCT 18 2001

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EXAMINER	
S. Devi, Ph.D	
ART UNIT	PAPER NUMBER
1645	8

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1) This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R 1.821(a)(1) and (a)(2). A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report.

2) Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 C.F.R 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

3) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to S. Devi, Ph.D., whose telephone number is (703) 308-9347. The Examiner can normally be reached on Monday-Friday from 7:45 a.m. to 4:15 p.m. (Eastern Time).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached at (703)308-3909. The FAX phone number for group 1600 is (703)308-4242.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

Sy.
S. Devi, Ph.D.
September 2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

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